IN THE CLAIMS

1. (ORIGINAL) A gaming apparatus, comprising: (a) a gaming table with a gaming surface having at least one predetermined location for receiving a gaming token; (b) a gaming token supporter mounted at each of the at least one predetermined location for receiving a gaming token on the gaming surface of the gaming table such that the gaming token supporter is flush with the gaming surface and forms a gaming token receiving location; and (c) a photoelectric sensor for each gaming token supporter, each photoelectric sensor providing modulated light emissions and sensing modulated light, and each photoelectric sensor being mounted to the gaming structure such that each sensor is aligned with and in sensing proximity to a gaming token supporter.

2. (ORIGINAL) The apparatus of claim 1, wherein the gaming token supporter forms a portion of a sensor housing.

3. (ORIGINAL) The apparatus of claim 2, wherein the sensor housing comprises a first board having a outer edge and at least one continuous inner edge, the inner edge forming a sensor holder, the sensor holder having dimensions such that a sensor can be received by the sensor holder and the sensor holder positioned such that the received sensor will be aligned and in sensing proximity to the gaming token supporter.

4. (ORIGINAL) The apparatus of claim 3, wherein the sensor is formed by one of a photoelectric sensor and a non-photoelectric proximity sensor.

5. (ORIGINAL) The apparatus of claim 3, further comprising a decoder electrically connected to each sensor for determining whether a gaming token is present at the gaming token location monitored by each sensor.

6. (ORIGINAL) The apparatus of claim 5, wherein the first board comprises a plurality of continuous inner edges forming a plurality of holders, wherein a plurality of lighting devices may be received by the holders

7. (ORIGINAL) The apparatus of claim 6, wherein the lighting devices are connected to

the decoder.

8. (ORIGINAL) The apparatus of claim 5, wherein the decoder is a microcontroller.

9. (ORIGINAL) The apparatus of claim 5, wherein the decoder is a hard wired circuit.

10. (CANCELLED)
11. (CANCELLED)
12. (CANCELLED)
13. (CANCELLED)
14. (CANCELLED)
15. (CANCELLED)
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17. (ORIGINAL) An apparatus for playing a multi-tiered game, comprising: (a) a plurality of gaming tables, each table having a plurality of play positions; (b) wagering areas on the table, with at least one wagering area corresponding to each of the plurality of player positions; (c) a gaming token supporter flush mounted to the gaming surface to form a wagering area; (d) sensor means mounted to the plurality of gaming tables, wherein each sensor means comprises a photoelectric sensor providing modulated light emissions and sensing modulated light, and each photoelectric sensor being mounted to the gaming structure such that at least one sensor is aligned with and in sensing proximity to a gaming token supporter; (e) dealer control means at each table, connected to the sensor means, for determining whether a gaming token is present in each of the plurality of wagering areas, accumulating the betting information from each plurality of sensor means, and entering data on winning outcomes in the multi-tiered game, wherein the dealer control means includes means for entering a security code prior to entering data on winning outcomes, a plurality of inputs, each input designating one of a plurality of winning outcomes and one of the plurality of player positions at a gaming table of the multi-tiered game; and (i) computer means operably connected to each dealer control means for continuously accumulating the betting information and winning outcome data for the multi-tiered game, calculating a prize amount for the multi-tiered game, and controlling a display means operably connected to the computer means for displaying the

prize amount for the multi-tiered game.

18. (ORIGINAL) The apparatus of claim 17, wherein the plurality of gaming tables is located at different gaming facilities.

19. (ORIGINAL) The apparatus of claim 18, wherein the computer means includes a plurality of facility computers, each facility computer operably connected to a plurality of gaming tables, and a central computer operably connected to the plurality of facility computers.

20. (ORIGINAL) The apparatus of claim 18, wherein the dealer control means, computer means, and display means are operably connected to each other by a local network.

21. (ORIGINAL) The apparatus of claim 19, wherein the display means includes an alphanumeric LED display.

SUMMARY OF THE OFFICE ACTION

1. Claim 1 is rejected under 35 USC 102(b) as anticipated by Order (PCT DE99/02666; US Patent No. 6,609,710) and Canadian Patent No. 2,195,329 (published 17 May 1996.

2. Claims 2-7 are rejected under 35 USC 103(a) as unpatentable over Order (as above) and further in view of Brown (US Patent No. 5,909,876)

3. Claims 8 and 9 are rejected under 35 USC 103(a) as unpatentable over Order (as above) and further in view of Brown (US Patent No. 5,909,876) and Paulsen (US Patent No. 5,393,067)

4. Claims 17-21 have been rejected under 35 USC 103(a) as unpatentable over Order (as above) in view of Kim et al. (US Patent No. 6,446,864) and Jones et al. (US Patent No. 4,861,041)

RESPONSE TO THE OFFICE ACTION

1. Claim 1 is rejected under 35 USC 102(b) as anticipated by Order (Canadaian Patent No. 2,195,329)

CLAIM 1	ORDER DISCLOSURE	COMMENTS
A gaming apparatus, comprising: (a) a gaming table with a gaming surface	A gaming apparatus for professional execution of table games using playing dice and chips, said gaming apparatus comprising: a gaming table with a game cloth and sections, lines, areas or zones, predefined on the game cloth,	
having at least one predetermined location for receiving a gaming token;	: a gaming table with a game cloth and sections, lines, areas or zones, predefined on the game cloth,	
(b) a gaming token supporter mounted at each of the at least one predetermined location for receiving a gaming token on the gaming surface of the gaming table	"...gaming apparatus comprising a gaming table with a game cloth and sections, lines, areas or zones, predefined on the game cloth, for placement of chips for table games,..."	**These areas are on the gaming table and physically support chips.**
such that the gaming token supporter is flush with the gaming surface and forms a gaming token receiving location;		**The table is flat and the designated areas for placing chips are flat, but are covered by cloth and the detectors are under the cloth (See Page 10, lines 10-24 where the light passes through the cloth).**
and (c) a photoelectric sensor for each gaming token supporter,	wherein said means for detecting analysing, displaying and storing includes detectors arranged under the game cloth of the gaming table for detecting which of said sections, said lines, said areas or said zones said chips occupy, means for automatically detecting locations at which stakes in the form of the chips are placed and thus	In the present invention, to automatically detect whether chips or piles of chips have been deposited or not on a surface or zone or line defined by the layout of the playing area of the Craps table, it is thus possible to use detectors which are arranged under the game cloth and which respond to changed pressure conditions or changed light

	the type of bets placed,	conditions upon the setting down or removal of the chips. Preferably, light-sensitive sensors, in particular photo-diodes sensitive to IR-light, are used under such a game cloth which is partially light-transparent. The darkening of the photo-diodes caused by the deposited chip then triggers a signal which is fed to an automatically recording computer unit. The active yes-no circuit only indicates whether a chip is placed on the gaming table or not; accordingly these detectors are known as occupation detectors.
each photoelectric sensor providing modulated light emissions and sensing modulated light,	Preferably, light-sensitive sensors, in particular photo-diodes sensitive to IR-light, are used under such a game cloth which is partially light-transparent. The darkening of the photo-diodes caused by the deposited chip then triggers a signal which is fed to an automatically recording computer unit. The active yes-no circuit only indicates whether a chip is placed on the gaming table or not; accordingly these detectors are known as occupation detectors.	**The rejection asserts that Order's sensors inherently provide modulated light, citing page 17, lines 20-24. THERE IS NO BASIS FOR THIS ASSUMPTION. APPLICANTS CHALLENGE THIS ASSUMPTION. Modulated light requires a change in the light provided, while Order uses ambient light.**
and each photoelectric sensor being mounted to the gaming structure such that each sensor is aligned with and in sensing proximity to a gaming token supporter.	it is thus possible to use detectors which are arranged under the game cloth and which respond to changed pressure conditions or changed light conditions upon the setting down or removal of the chips.	**The sensors are not flush mounted, but are under the table cloth. This deteriorates light sensitivity, as noted by Order, requiring multiple sensors.**

Applicants do not concede the assumptions in this rejection, and Applicants point out that the teachings of Order are insufficient under 35 USC 102(b) as a teaching of the limitations recited in the claims, especially with respect to light modulation and flush mounting.

Light modulation requires a specific content in the character of the light provided in the system. A typical definition for modulation (with regard to electromagnetic transmission) would be:

> "Modulation is the addition of information (or the signal) to an electronic or optical signal carrier. Modulation can be applied to direct current (mainly by turning it on and off), to alternating current, and to optical signals.

As Order uses ambient light and merely blocks out light, there are no "modulated light emissions" as required by the system. Order has no light emitting capacity in the under the cloth receptors.

The rejection is clearly insufficient and the rejection must be withdrawn.

2. Claims 2-7 are rejected under 35 USC 103(a) as unpatentable over Order (as above) and further in view of Brown (US Patent No. 5,909,876)

As the Order reference is not a sufficient teaching of the limitations of light modulation and flush mounting, the rejection is in error and must be withdrawn as the addition of this reference does not overcome that deficiency.

Additionally, the Brown reference has an available reference date of **March 30, 1998**. This reference date is well after the clear priority date for this application and the claimed subject matter of at least May 30, 1997. The Brown reference is not available as a reference under any statutory basis against these claims.

3. Claims 8 and 9 are rejected under 35 USC 103(a) as unpatentable over Order (as above) and further in view of Brown (US Patent No. 5,909,876) and Paulsen (US Patent No. 5,393,067)

As the Order reference is not a sufficient teaching of the limitations of light modulation and flush mounting, the rejection is in error and must be withdrawn as the addition of this reference does not overcome that deficiency.

Additionally, the Brown reference has an available reference date of **March 30, 1998**. This reference date is well after the clear priority date for this application and the claimed subject matter of at least May 30, 1997. The Brown reference is not available as a reference under any statutory basis against these claims.

Unless the Paulsen reference is asserted to teach everything that is absent from Order and Brown, which is unlikely, the Paulsen reference fails to overcome the underlying deficiencies in the rejection over Order in view of Brown and the rejection must fail. As this rejection relies on Brown and as that reference is unavailable, the rejection must fail.

4. Claims 17-21 have been rejected under 35 USC 103(a) as unpatentable over Order (as above) in view of Kim et al. (US Patent No. 6,446,864) and Jones et al. (US Patent No. 4,861,041)

As the Order reference is not a sufficient teaching of the limitations of light modulation and flush mounting, the rejection is in error and must be withdrawn as the addition of this reference does not overcome that deficiency.

Additionally, the Kim reference has an available reference date well after the clear priority date for this application and the claimed subject matter of at least May 30, 1997. The Kim reference is not available as a reference under any statutory basis against these claims.